



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 6

1445 ROSS AVENUE, SUITE 1200
DALLAS, TX 75202-2733

JUN 17 2008

Mr. Mark Vickery
Executive Director
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

Dear Mr. Vickery:

This letter is in response to Mr. Glenn Shankle's letter of May 6, 2008, requesting concurrence on the Texas Commission on Environmental Quality (TCEQ) approval of an aquifer exemption in accordance with Title 40 of the Code of Federal Regulations (40 CFR) §§144.7, 145.32 and 146.4. Under the Environmental Protection Agency (EPA) underground injection control (UIC) guidance No. 34, the proposed exemption qualifies as a non-substantial revision. The Administrator has delegated authority for approval of non-substantial revisions to the Regional Administrator, Region 6, who has delegated that authority to the Water Quality Protection Division Director.

I am pleased to inform you that EPA Region 6 concurs with TCEQ. We find TCEQ has met the public participation requirements for a non-substantial revision and demonstrated that the aquifer qualifies under exemption criteria at 40 CFR §146.4. Therefore, EPA approves exemption of that portion of the Woodbine aquifer as requested in the TCEQ letter of May 6, 2008, and described in the Corsicana Technologies, Inc., (CTI) application dated September 2006.

Region 6 reviewed CTI's application previously and provided our recommendations to TCEQ UIC staff. Those recommendations suggested the radial extent of the exemption should be set at 5000 feet from the well to ensure protection of non-exempted portions of the Woodbine aquifer from migration. We are pleased to find that this recommendation is incorporated in TCEQ's formal request. The exemption is for Class I non-hazardous waste injection only. Should the applicant seek to significantly increase its permitted total waste volume or increase the overall buoyancy of the permitted waste stream, the waste plume migration potential would need to be reassessed. TCEQ is requested to notify the Region if any such permit amendments are ever proposed.

Miguel I. Flores
Director
Water Quality Protection Division

cc: Katherine Nelson, TCEQ
Ben Knape, TCEQ

bcc: Ann Codrington, (4606M) with TCEQ letter encl.
Denny Cruz, (4606M) with TCEQ letter encl.
Larry Wright, (6WQ-S)
Ray Leissner, (6WQ-SG) ✓
Jose Torres, (6WQ-SG)